



11/11/03  
1644

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant:	FILIPPO BELARDELLI, ET AL.	) Art Unit: 1644 )
Application No.:	09/845,042	) Examiner: GERALD R. EWOLDT )
Filed:	4/27/01	) Re: RESPONSE )
For:	"METHOD FOR GENERATING HIGHLY ACTIVE HUMAN DENDRITIC CELLS FROM MONOCYTES"	) Our Ref.: B-4161 618742-8 )
		) Date: October 22, 2003 )

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

This response is submitted within the shortened statutory period of one month to respond to the Office Action dated September 22, 2003. Therefore, an extension of time is not required.

**REMARKS**

While the Applicants traverse the outstanding restriction requirement, the Applicants nevertheless provisionally elect Invention I (Claims 1-25) for prosecution on the merits.

Under 35 U.S.C. § 121, the United States Patent and Trademark Office is authorized, but is not required to restrict an application to one invention if two or more independent and distinct inventions are claimed in one application. In view of the expenses that would be imposed upon the Applicants by multiple patents, it is believed that restriction requirements should be issued

only when absolutely necessary; and the Applicants respectfully request withdrawal of the outstanding restriction requirement.

The traversal of the restriction requirement and the remarks regarding the traversal are being submitted without prejudice. Neither the traversal of the restriction requirement nor the remarks regarding the traversal shall be interpreted as disputing the Examiner's suggestion that Inventions I-V are patentably distinct.

If elected Claims 1-25 are found to be allowable, then the Examiner should consider on the merits Subclaims 26-53 because these subclaims are each directly or indirectly dependent on an allowable elected base claim (one of elected Claims 1-25).

It is submitted that the application is in condition for allowance. Allowance of the application at an early date is solicited.

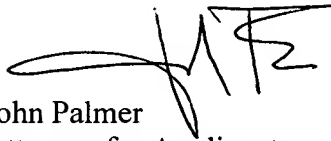
The Commissioner is authorized to charge any additional fees which may be required or credit overpayment to deposit account no. 12-0415. In particular, if this response is not timely filed, then the Commissioner is authorized to treat this response as including a petition to extend the time period pursuant to 37 CFR 1.136 (a) requesting an extension of time of the number of months necessary to make this response timely filed and the petition fee due in connection therewith may be charged to deposit account no. 12-0415.

USPSN: 09/845042

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OCT 28 2003

Respectfully submitted,



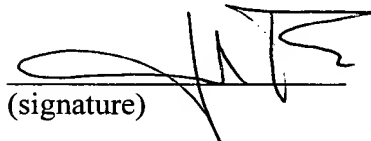
John Palmer  
Attorney for Applicants  
Reg. No.36,885  
LADAS & PARRY  
5670 Wilshire Boulevard, Suite 2100  
Los Angeles, California 90036  
(323) 934-2300

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on October 22, 2003

John Palmer  
(Name of person signing)

  
(signature)